

## **REMARKS**

Claims 1, 4-6, 9-13, 15, 18-19 and 21 have been amended, and new claims 22-28 have been added. Claims 1-28 are presently pending.

The specification has been amended to include section headings, as suggested by the Examiner, and to correct typographical and grammatical errors uncovered during further review of the application. Accordingly, the Examiner's objection to the specification has been overcome and should be withdrawn.

A new drawing FIG. 2 has been submitted, which overcomes the Examiner's objection and is substantively identical to the previously submitted replacement drawing FIG. 2. No new matter has been added. Accordingly, the Examiner's objection to the drawings should be withdrawn.

The pending claims have been amended to clarify what is the claimed invention and improve their wording in accordance with claiming formalities. Based on the amendment of claims 1, 10-12, 15 and 18, the Examiner's objections to the claims have been overcome and, accordingly, should be withdrawn.

In view of such amendments and the following remarks, reconsideration and allowance of the claims, as presently presented, are respectfully requested.

## **EXAMINER'S ACTION**

### **The 35 U.S.C. §§ 102 and 103 Rejections**

Claims 1-9, 13-18 and 20-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,244,043 ("Farmer *et al.*"). In addition, claim 19 was rejected as being obvious over Farmer *et al.*, and claims 10-12 were rejected as being obvious over Farmer *et al.* in view of official notice.

Independent claims 1 and 15 as amended, and claims 2-14 and 16-21 and new claims 22-28 which depend directly or indirectly upon claims 1 or 15, clearly are patentable over Farmer *et al.*

Claim 1, as amended, is directed to a method for controlling the temperature of at least one catalyst in an exhaust gas cleaning system where, in relevant part, energy is introduced into the exhaust gas cleaning system by a lambda split. According to claim 1, the introduction of energy is limited depending on: "(a) at least one of catalyst temperature, exhaust gas temperature exhaust gas mass flow rate, change of the catalyst temperature, change of the exhaust gas temperature and change of the exhaust gas mass flow rate; and (b) at least one of rate of change of the catalyst temperature, rate of change of the exhaust gas temperature and rate of change of the exhaust gas mass flow rate." (See application, page 3, third paragraph).

In contrast, although Farmer *et al.* concerns air/fuel ratio control of an exhaust gas mixture entering an emission control device, Farmer *et al.* does not disclose or suggest limiting the introduction of energy for a lambda split configuration depending on the "rate of change" of at least one of the catalyst temperature, the exhaust gas temperature and the exhaust gas mass flow rate. Contrary to the Examiner's statement, the cited portion of Farmer *et al.* (Col. 4, ln. 52-59) does not calculate the limitation of the lambda split and, instead, describes feedback control in the lean exhaust path. In addition, the steps of Farmer *et al.* cited by the Examiner concern the calculation and use of the change in a parameter, for example, catalyst temperature. Nowhere does Farmer *et al.* teach or suggest limiting the introduction of energy based, in part, on the "rate of change" of at least one of the parameters of the catalyst

temperature, the exhaust gas temperature and the exhaust gas mass flow rate, as required by claim 1.

Accordingly, claim 1 is patentable over Farmer *et al.*

In addition, amended independent claim 15, which is directed to a multicylinder engine with an exhaust gas cleaning system where, in relevant part, introduction of energy is introduced into the exhaust gas cleaning system by a lambda split and the introduction of energy is limited in the same manner as required by claim 1, is patentable over Farmer *et al.* for the same reasons as set forth above with respect to claim 1.

Further, claims 2-14 and 16-28, which depend directly or indirectly from claims 1 or 15, are also patentable over Farmer *et al.* for the same reasons as set forth above with respect to claim 1 and because of the further restrictions they add.

Withdrawal of the Section 102 and 103 rejections is, therefore, respectfully requested.

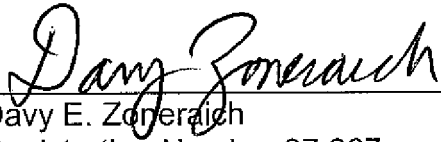
### **CONCLUSION**

For the foregoing reasons, it is believed that all of the claims, as presently presented, are patentable.

The Examiner is invited to telephone the undersigned if it is believed that further amendment and/or discussion would help to advance the prosecution of the present application.

Reconsideration and allowance of claims 1-28 are, therefore, respectfully requested.

Respectfully submitted,

  
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Encl.: Replacement Figure 2